REMARKS

Claims 1-15, 19-24, 40-44, and 56 were previously canceled without prejudice. Claims 28-39, 55, and 57-62 are currently canceled without prejudice. Claims 17-18, 25-27, and 48-49 are original. Claim 52 is currently amended to correct a typo. Claims 16, 45-47, 50-51, 53-54, and 63-67 are previously presented. Claims 16-18, 25-27, 45-54, 63-67 are pending for consideration.

Interview Summary for Interview Dated January 4th, 2006

As required by 37 CFR 1.133(b), Applicant provides the following administrative details concerning the interview. First, this case is under final rejection. Second, the participants were Examiner Kevin Bates and Michael Colby. Third, the interview was conducted over the phone on January 4th, 2006.

Applicant also provides the following summary of the issues discussed during the interview. Applicant's representative and the Examiner discussed the Theimer, Christ, and Dunn references in relation to the claims, as well as differences between the subject matter of independent claims 16 and 45 and the combination of the Theimer and Christ references. During the interview the Examiner also restricted the claims into two groups as noted below.

Election/Restriction

The Office restricted, during the above-noted interview, claims 16-18, 25-27 (Claims 17-18 and 25-27 depend from Claim 16), 45-54, and 63-67 as Group I and claims 28-39 and 57-62 as Group II. Applicant elects Group I and cancels the claims of Group II without prejudice.

 Claims 16-17, 25-27, 45-47, 49-50, 52-54, 63, 65, and 67 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,493,692 to Theimer et al. (hereinafter, "Theimer") in view of U.S. Patent No. 5,977,913 to Christ (hereinafter, "Christ"). The Office states in its summary that claim 66 is rejected over Theimer in view of Christ but in its argument relies on U.S. Patent No. 5,659,596 to Dunn (hereinafter, "Dunn").

Claim 51 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Theimer in view Christ and further in view of U.S. Patent No. 5,781,150 to Norris (hereinafter, "Norris").

Claims 18, 48, and 66 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Theimer in view Christ and further in view of Dunn.

Claim 64 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Theimer in view of Christ and further in view of U.S. Patent No. 5,917,425 to Crimmons (hereinafter, "Crimmons").

Response to 35 U.S.C. §103 Rejections

First, independent claims 16, 45, and 63 each recite at least one action performed by a mobile computing unit other than simply transmitting a signal. But Christ and Theimer teach mobile devices that do little more than transmit signals. For example, Christ discloses a "walkie-talkie" that transmits a signal whereby a "central mapping computer" can locate a user. Theimer discloses tabs, pads, and active badges that transmit information used by stationary components to locate and identify a user. Christ's and Theimer's mobile devices simply do not perform like the claimed mobile computing units.

Second, the Office improperly combines Christ and Theimer as submitted in a prior Response dated October 7th, 2005, from page 24, line 15, to page 31, line 22, which is herein incorporated by reference.

For these reasons, Applicant respectfully submits that the Office fails to establish a *prima facie* case of obviousness in rejecting the subject matter of independent claims 16, 45, and 63.

Claims 17, 18, and 25-27; 46-54; and 64-67 depend from independent claims 16, 45, and 63, respectively, and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features that, in combination with those recited in their base claim, are neither disclosed nor suggested in references of record, either singly or in combination with one another.

Conclusion

Applicant respectfully requests reconsideration and issuance of the present application. Should any issue remain that prevents prompt issuance of the application, the Examiner is encouraged to contact the undersigned attorney to discuss the unresolved issue.

Respectfully Submitted,

Date: 1354106

Michael K. Colby

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